

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

PERSONALIZED MEDIA
COMMUNICATIONS, LLC

v.

APPLE, INC.

Case No.: 2:15-CV-01366-JRG-RSP

BILL OF COSTS

Judgment having been entered in the above entitled action on 08/06/2021 against PMC,
Date
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ 0.00
Fees for service of summons and subpoena	0.00
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	91,828.10
Fees and disbursements for printing	7,253.51
Fees for witnesses (<i>itemize on page two</i>)	275,918.39
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.	0.00
Docket fees under 28 U.S.C. 1923	0.00
Costs as shown on Mandate of Court of Appeals	0.00
Compensation of court-appointed experts	0.00
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	0.00
Other costs (<i>please itemize</i>)	
TOTAL	\$ 375,000.00

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other: _____

s/ Attorney: /s/ Marcus E. SernelName of Attorney: Marcus E. Sernel

For: Apple, Inc.
Name of Claiming Party

Date: 09/03/2021

Taxation of Costs

Costs are taxed in the amount of 375,000.00 and included in the judgment.

By: C. Hunton*Clerk of Court**Deputy Clerk**Date*

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Anthony Wechselberger, Escondido, California	3	120.00	3	453.00		1,796.39	\$2,369.39
Stephen Wicker, Ithaca, New York	6	240.00	6	906.00			\$1,146.00
Roger Pantos, Cupertino, California	10	400.00	10	1,510.00		573.32	\$2,483.32
Vince Thomas, Boston, MA	3	120.00	3	453.00		681.80	\$1,254.80
							\$0.00
							\$0.00
					TOTAL		\$7,253.51

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:**RULE 54(d)(1)****Costs Other than Attorneys' Fees.**

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6**(d) Additional Time After Certain Kinds of Service.**

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)**Cost or Fee Awards:**

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

Fees for Printed or Electronically Recorded Transcripts

Invoice Date	Narrative	Requested Amount
05/07/16	TransPerfect Deposition Services - Invoice for Deposition Services for John Harvey Deposition	2,654.75
05/08/16	TransPerfect Deposition Services - Invoice for Deposition Services for John Harvey Deposition	2,599.50
05/14/16	TransPerfect Deposition Services - Invoice for Deposition Services for James Cuddihy Deposition	1,186.50
05/14/16	TransPerfect Deposition Services - Invoice for Deposition Services for James Cuddihy Deposition	2,780.25
06/09/16	TransPerfect Deposition Services - Invoice for Deposition Services for Alfred Weaver Deposition	2,195.50
08/19/16	TransPerfect Deposition Services - Invoice for Deposition Services for Mary Metzger Deposition	2,462.75
08/29/16	TransPerfect Deposition Services - Invoice for Deposition Services for Gerald Holtzman Deposition	2,230.25
09/09/16	TransPerfect Deposition Services - Invoice for Deposition Services for Boyd Lemna Deposition	2,354.25
09/24/16	TransPerfect Deposition Services - Invoice for Deposition Services for Robert Caird Deposition	1,195.00
09/29/16	TransPerfect Deposition Services - Invoice for Deposition Services for Thomas Scott Deposition	3,063.00
09/30/16	TransPerfect Deposition Services - Invoice for Deposition Services for Stephen McCandless Deposition	1,533.75
09/30/16	TransPerfect Deposition Services - Invoice for Deposition Services for Thomas Scott Deposition	2,158.75
11/24/16	TransPerfect Deposition Services - Invoice for Deposition Services for Michael Dansky Deposition	2,654.75
11/30/16	TransPerfect Deposition Services - Invoice for Deposition Services for Alfred Weaver Deposition	1,815.00
11/30/16	TransPerfect Deposition Services - Invoice for Deposition Services for Alfred Weaver Deposition	1,045.50
11/30/16	TransPerfect Deposition Services - Invoice for Deposition Services for James Plock Deposition	2,667.75
11/30/16	TransPerfect Deposition Services - Invoice for Deposition Services for Samuel Russ Deposition	2,769.50
12/15/20	TransPerfect Deposition Services - Invoice for Deposition Services for Alfred Weaver Deposition	1,206.00
12/21/20	TransPerfect Deposition Services - Invoice for Deposition Services for Michael Dansky Deposition	1,452.50
08/19/16	Veritext Legal Solutions - Invoice for Deposition Services for Roger Pantos Deposition	1,064.00
08/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Gianpaolo Fasoli Deposition	1,078.00
08/27/16	Veritext Legal Solutions - Invoice for Deposition Services for Sean Kelly Deposition	1,083.60
08/29/16	Veritext Legal Solutions - Invoice for Deposition Services for Roger Pantos Deposition	1,839.60

Invoice Date	Narrative	Requested Amount
08/29/16	Veritext Legal Solutions - Invoice for Deposition Services for Heather Mewes Deposition	1,971.90
08/30/16	Veritext Legal Solutions - Invoice for Deposition Services for Roger Pantos Deposition	1,062.50
09/08/16	Veritext Legal Solutions - Invoice for Deposition Services for Sean Kelly Deposition	593.75
09/08/16	Veritext Legal Solutions - Invoice for Deposition Services for Michael Jaynes Deposition	1,789.20
09/15/16	Veritext Legal Solutions - Invoice for Deposition Services for Heather Mewes Deposition	687.50
09/21/16	Veritext Legal Solutions - Invoice for Deposition Services for Arthur Rangel Deposition	525.00
09/22/16	Veritext Legal Solutions - Invoice for Deposition Services for Steve Gedikian Deposition	2,133.00
09/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Michael Jaynes Deposition	750.00
10/04/16	Veritext Legal Solutions - Invoice for Deposition Services for Guy Tribble Deposition	1,250.20
10/07/16	Veritext Legal Solutions - Invoice for Deposition Services for Steve Gedikian Deposition	781.25
10/11/16	Veritext Legal Solutions - Invoice for Deposition Services for Augustin Farrugia Deposition	980.00
10/15/16	Veritext Legal Solutions - Invoice for Deposition Services for Nicholas Sullivan Deposition	434.00
10/26/16	Veritext Legal Solutions - Invoice for Deposition Services for Augustin Farrugia Deposition	343.75
11/18/16	Veritext Legal Solutions - Invoice for Deposition Services for Vincent Thomas Deposition	1,808.10
11/22/16	Veritext Legal Solutions - Invoice for Deposition Services for Anthony Wechselberger Deposition	1,020.00
11/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Arthur Rangel Deposition	175.00
11/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Nicholas Sullivan Deposition	406.25
11/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Guy Tribble Deposition	593.75
11/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Roger Pantos Deposition	906.25
11/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Gianpaolo Fasoli Deposition	1,031.25
11/23/16	Veritext Legal Solutions - Invoice for Deposition Services for Stephen Wicker Deposition	1,309.00
11/28/16	Veritext Legal Solutions - Invoice for Deposition Services for Stephen Wicker Deposition	437.50
11/28/16	Veritext Legal Solutions - Invoice for Deposition Services for Anthony Wechselberger Deposition	593.75
11/28/16	Veritext Legal Solutions - Invoice for Deposition Services for Vincent Thomas Deposition	656.25

Invoice Date	Narrative	Requested Amount
09/22/20	Veritext Legal Solutions - Invoice for Deposition Services for Jayna Whitt Deposition	632.00
12/16/20	Veritext Legal Solutions - Invoice for Deposition Services for Vincent Thomas Deposition	525.00
12/17/20	Veritext Legal Solutions - Invoice for Deposition Services for Jayna Whitt Deposition	700.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Cory Plock Deposition	195.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Guy Tribble Deposition	295.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Guy Tribble Deposition	545.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Michael Pellegrino Deposition	839.50
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Cory Plock Deposition	581.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Guy Tribble Deposition	789.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Michael Pellegrino Deposition	1,645.00
04/01/21	Veritext Legal Solutions - Invoice for Deposition Services for Michael Pellegrino Deposition	3,379.00
3/22/2021	Shelly Holmes - Invoice for Court Reporting Services for Jury Trial	11,673.00
6/16/2021	Susan A. Zielie - Invoice for Court Reporting Services for Bench Trial	2,700.00
	Total	\$91,828.10

Exemplification Fees and Costs of Copies

Invoice Date	Narrative	Requested Amount
03/19/21	KTS Litigation Support Services - Reprographics	1,683.89
03/19/21	KTS Litigation Support Services - Reprographics	3,992.76
03/19/21	KTS Litigation Support Services - Reprographics	795.00
06/15/21	KTS Litigation Support Services - Reprographics	2,843.45
06/21/21	KTS Litigation Support Services - Reprographics	795.00
06/22/21	KTS Litigation Support Services - Reprographics	5,618.80
06/22/21	KTS Litigation Support Services - Reprographics	9,019.10
01/02/21	IP Demonstratives Inc. - Graphics Fees	5,524.96
02/03/21	IP Demonstratives Inc. - Graphics Fees	38,821.87
03/08/21	IP Demonstratives Inc. - Graphics Fees	50,573.73
04/12/21	IP Demonstratives Inc. - Graphics Fees	113,578.61
07/07/21	IP Demonstratives Inc. - Graphics Fees	42,671.23
	Total	\$275,918.39